

**Land Development and Transportation  
Committee  
Staff Report  
August 24, 2017**



<b>Case No:</b>	17WAIVER1024
<b>Project Name:</b>	Canaan Christian Church Sign
<b>Location:</b>	2840 Hikes Lane
<b>Owner(s):</b>	Canaan Christian Church
<b>Applicant:</b>	Canaan Christian Church
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	10 – Pat Mulvihill
<b>Case Manager:</b>	Dante St. Germain, Planner I

**REQUEST**

- **Waiver** from Land Development Code section 8.2.1.D.6 to allow a changing image sign to be closer than 300 feet to residentially zoned properties that are used residentially

**CASE SUMMARY**

The subject property is the current location of Canaan Christian Church. The applicant proposes to place a new freestanding sign with a changing image panel at the front of the property adjacent to Hikes Lane. Six properties which are being used residentially are located within 300 feet of the proposed location of the sign. Three properties across Hikes Lane to the north and north-west are multi-family residential, while two properties to the north-east and one property to the south-west are single-family residential. The applicant requests a waiver from Land Development Code section 8.2.1.D.6 to allow a sign with a changing image panel to be closer than 300 feet to these properties.

The changing image panel of the sign has a 10 mm (.4 inch) resolution and will be dimmed at night. Land Development Code section 8.2.1.D.3 restricts the sign to display a new image no more frequently than once per 20 seconds. The sign complies with LDC requirements for height and area.

**STAFF FINDING**

Staff recommends, and the applicant has agreed to, the following condition of approval:

**The sign shall be either turned off, or the changing image panel frozen to display a single image, between the hours of 11 PM to 6 AM.**

With the condition of approval, staff finds that the requested waiver is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Land Development and Transportation Committee must determine if the proposal meets the standards for granting a waiver established in the Land Development Code from section 8.2.1.D.6 to allow a changing image sign to be closer than 300 feet to residential properties.

## **CASE BACKGROUND**

There is one prior case on site. Under docket number B-57-87, Jefferson County Board of Zoning Adjustment approved a variance to allow signs to encroach into the required front yard, on 05-18-1987. The proposed signs were to be installed on the retaining walls at the front of the main driveway which serves the principal building, within 1 foot of the front property line. The variance was approved on condition that that the signs be constructed in strict compliance with the approved plan, that the signs shall consist of only the church's name and address number and shall not exceed a length of 18 feet, and there shall be no additions or other alterations to the signs. These signs are no longer present and will be replaced with the proposed freestanding sign.

## **TECHNICAL REVIEW**

- No technical review was undertaken.

## **INTERESTED PARTY COMMENTS**

Staff received an email from the secretary of the Chateau Bohne condominium Board of Directors in opposition to the sign. Please see Attachment 7 for the email. The email references a variance number that no longer applies to this case.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 8.2.1.D.6**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners as the sign will be dimmed at night and the changing image panel will be frozen or turned off during late evening hours.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Cornerstone 2020 describes the Neighborhood Form as characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

*Guideline 3. Compatibility* requires land uses and transportation facilities to be compatible with nearby land uses and to minimize impacts to residential areas. *Guideline 3.A.28. Signs* requires signs to be compatible with the form district pattern and contribute to the visual quality of their surroundings, and to be of a size and height adequate for effective communication and conducive to motor vehicle safety. These guidelines are not violated because the sign is compatible with a minor arterial road and the applicant agrees to minimize the impact of the sign with a condition of approval.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as there is no location on the property where a changing image sign could be placed that is not within 300 feet of residential properties.

- (d) Either:  
 (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR  
 (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived by agreeing to limit the use of the changing image sign between the hours of 11 PM and 6 AM.

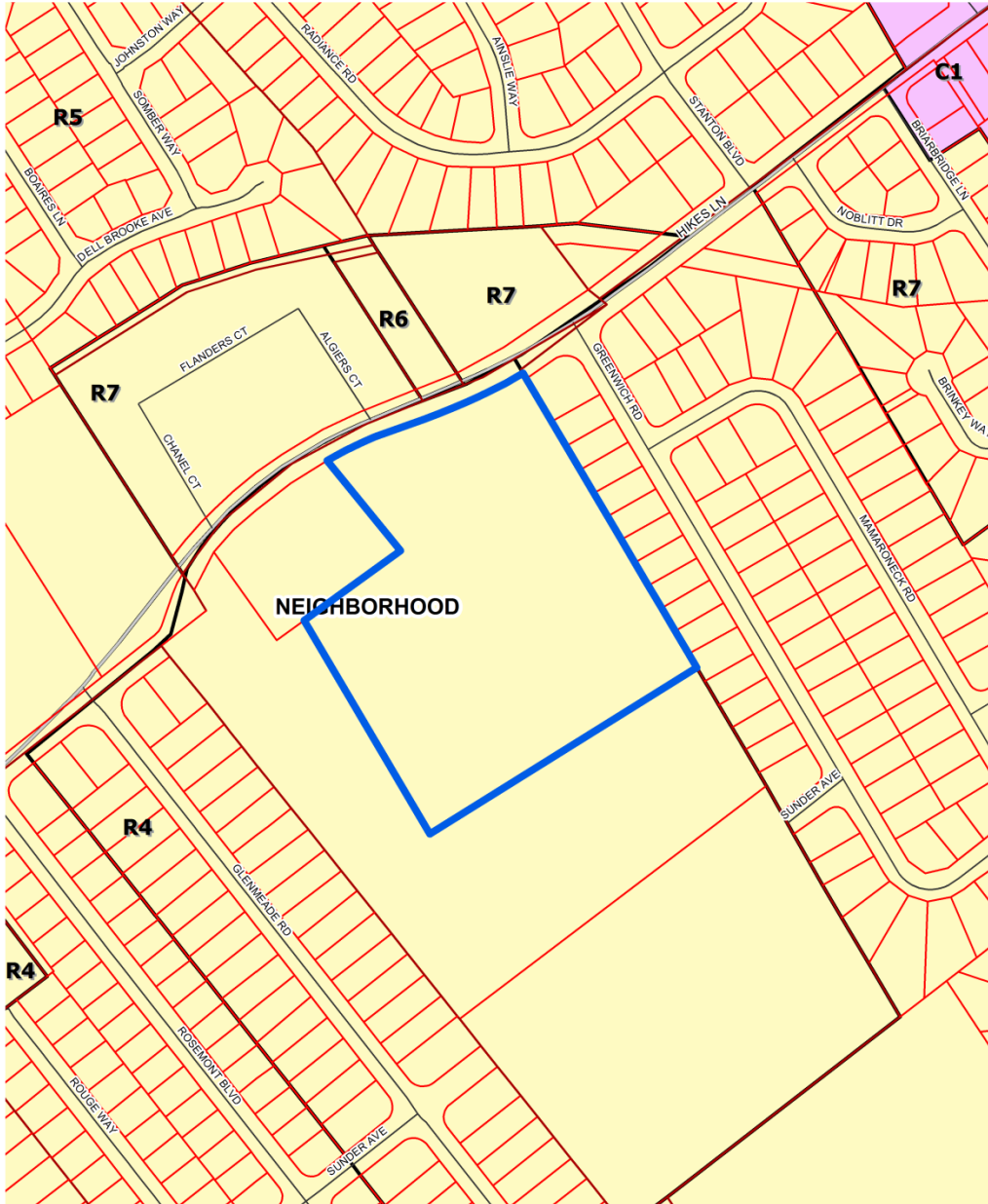
**NOTIFICATION**

Date	Purpose of Notice	Recipients
08/10/2017	LD&T Public Meeting	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 10

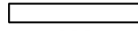
**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevation
5. 300 Foot Buffer Around Sign Location
6. Site Photos
7. Citizen Comment

1. Zoning Map



2840 Hikes Lane  
feet

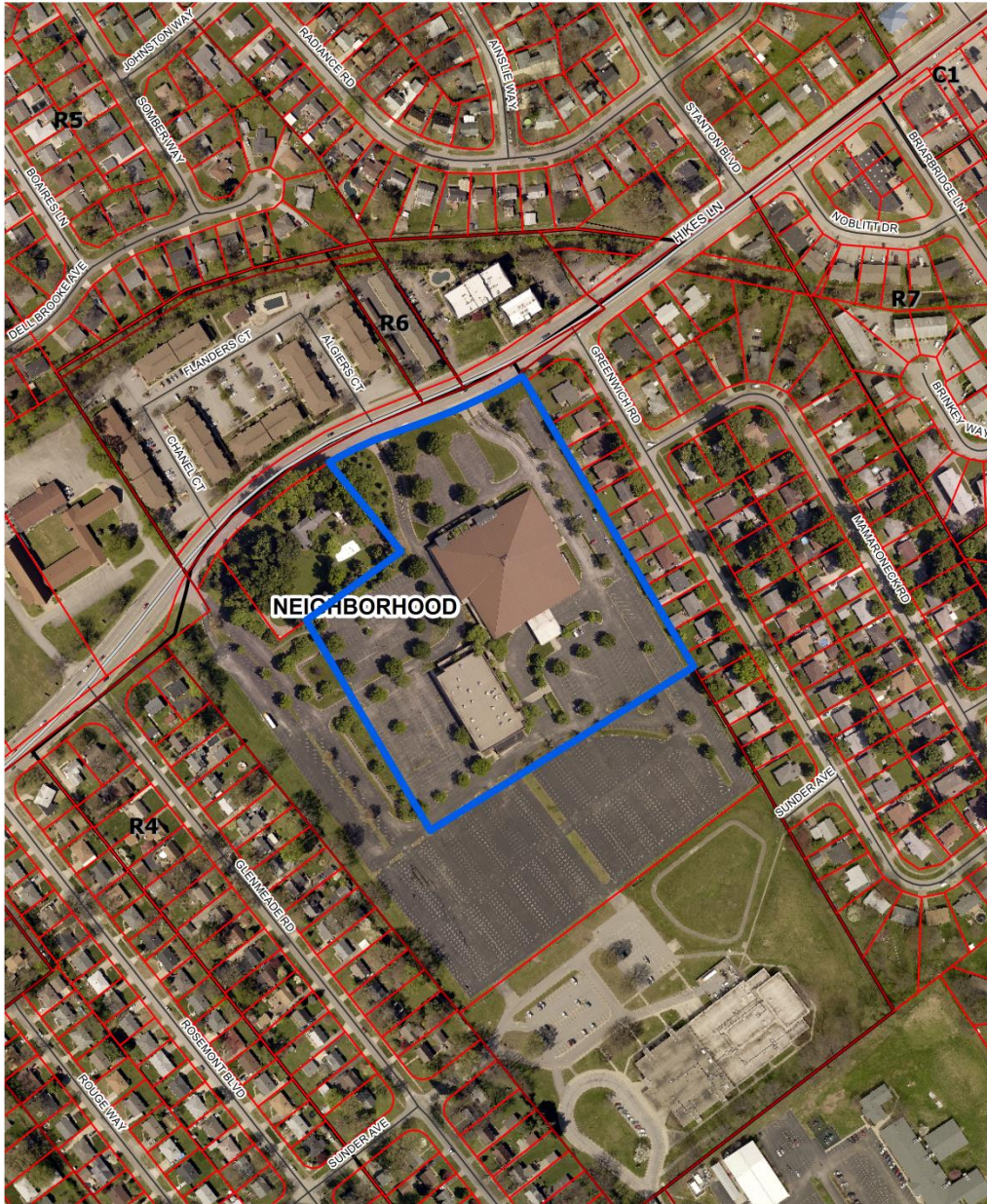


290  
Map Created: 8/16/2017



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2. Aerial Photograph



2840 Hikes Lane  
feet

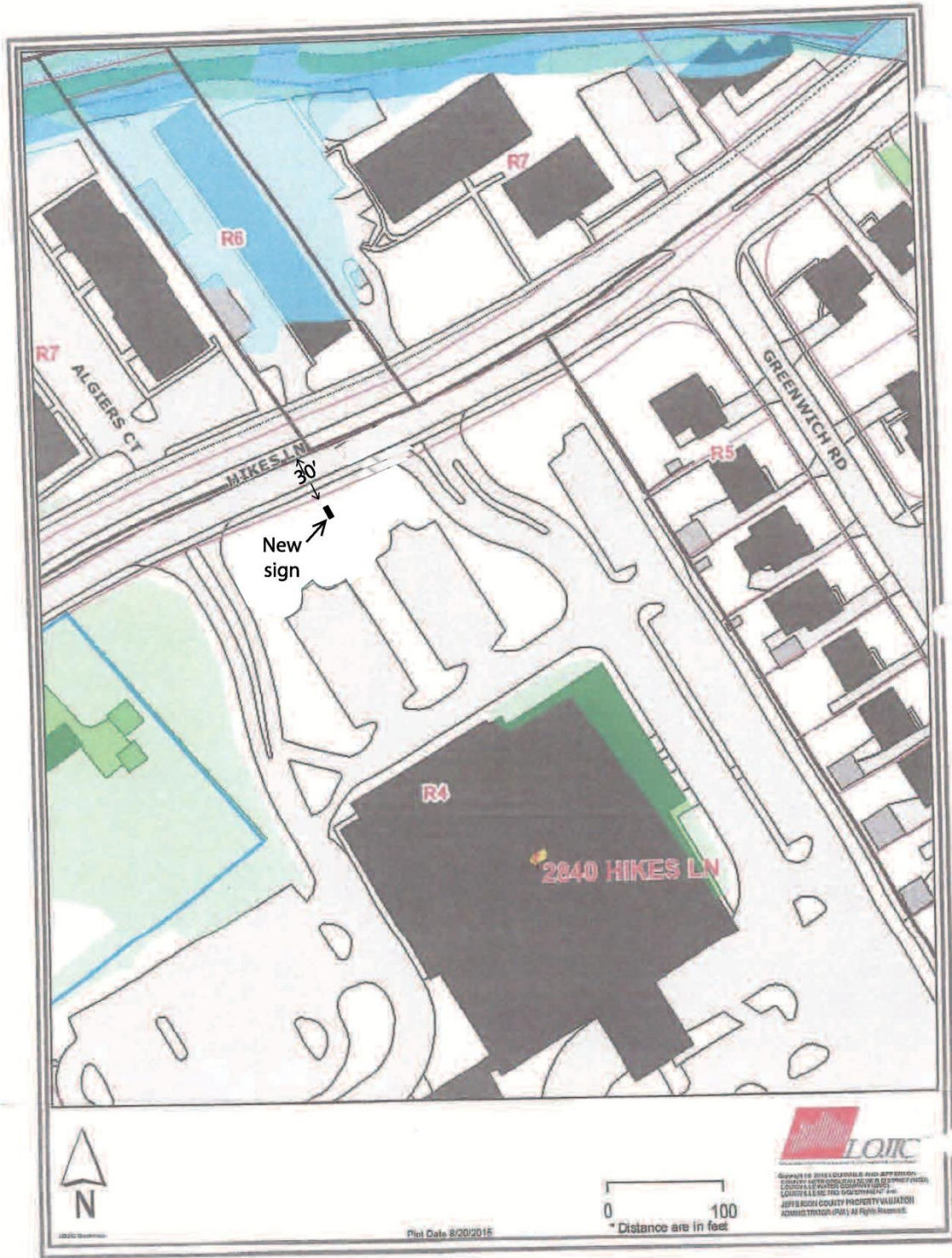
290

Map Created: 7/7/2017



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3. Site Plan



#### 4. Elevation

Channel letters: 18"  
White face black dual color  
(black daytime/ white at night)

7.5" Routed copy back with  
White blacker dual color  
(black daytime/ white at night)

3'x10' Main Head

3x6 full color EMC

9"X24" Sintra Vinyl First Surface

2.34 SQ FT

6.95 SQ FT

30 SQ FT

31 SQ FT

10'

10'

8'-4"

10"

3'

41"

18"

3x6 EMC  
41"x76.25"

CANAAN  
CHRISTIAN CHURCH

CANAAN  
CHRISTIAN CHURCH


Come join us to worship the Lord.

2840

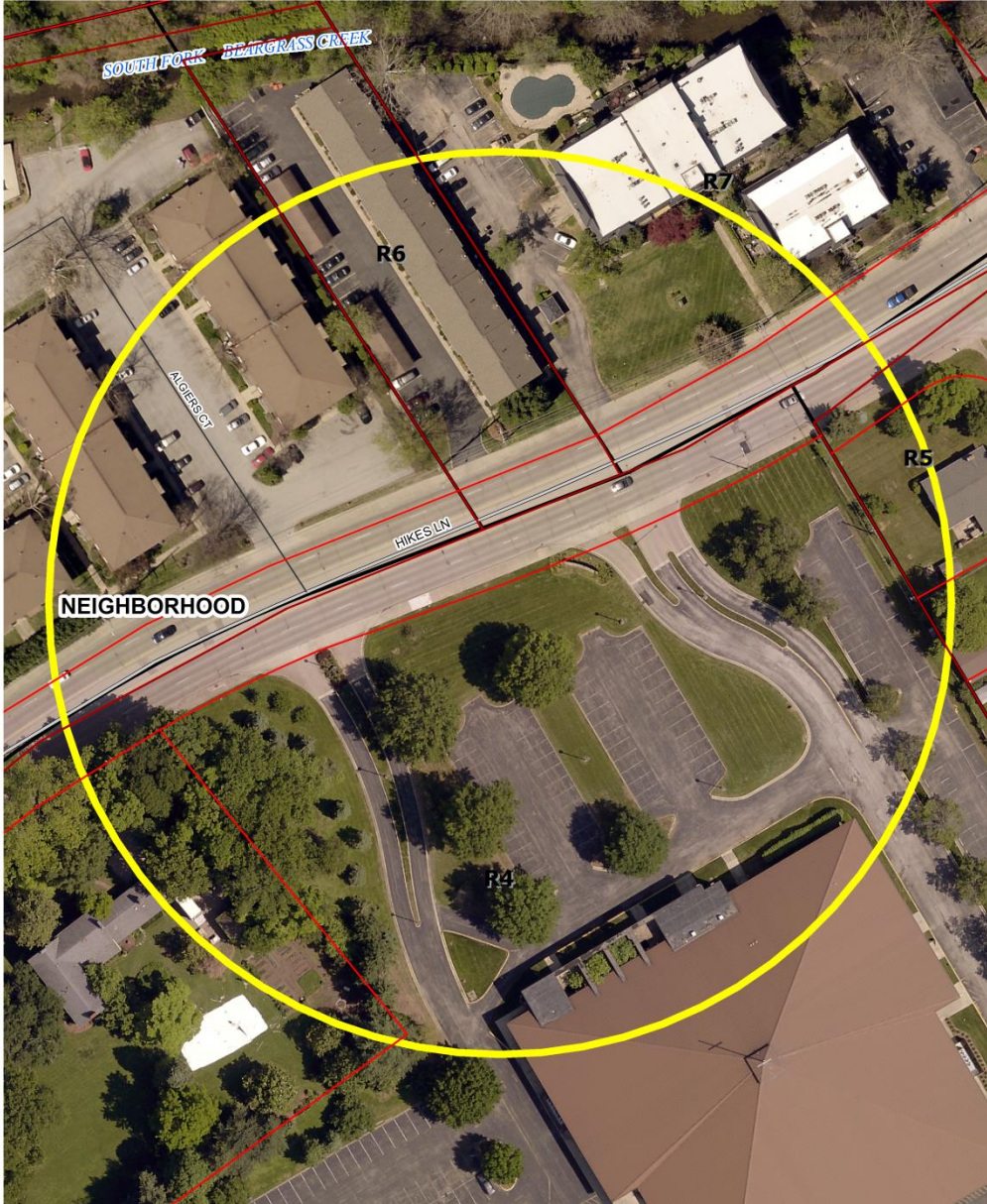
Email: 360buck@gmail.com  
Contact name: 502-365-1415  
Phone: Martin Buckminster

UL

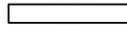
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		Original Date of Drawing: 7/13/15 R0	Accepted by: 7/24/15 R1 8/25/15 R3 9/8/15 R5 4/5/17 R7		
		Location:	Revision: 7/27/15 R2 10/3/16 R4 10/3/16 R6 7/13/17 R8		
		Designer/Graphic Artist: <i>TN</i>	<i>7/20/17 R9</i>		

5. 300 Foot Buffer Around Sign Location



300 Foot Buffer from Sign  
feet



80

Map Created: 8/16/2017



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6. Site Photos



The front of the subject property.



The viewshed to the south-west of the site of the proposed sign.



The viewshed to the north of the site of the proposed sign.



The viewshed to the north-east of the site of the proposed sign.

7. **Citizen Comment**

**St. Germain, Dante**

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**From:** Sizemore, Cynthia <Cynthia.Sizemore@DINSMORE.COM>  
**Sent:** Wednesday, July 12, 2017 9:48 AM  
**To:** St. Germain, Dante; rholmes@canaanchristian.com  
**Cc:** cedarmgt@bellsouth.net; 67hayden@gmail.com; greglintonuk@yahoo.com; johnk@pscoky.com; mtmseon@juno.com  
**Subject:** Canaan Christian Church Case No. 17VARIANCE1033

Dear Sir or Madam:

I am a resident and the Secretary of the Board of Directors of the Chateau Bohne condominiums which is directly across the street from Canaan Christian Church. We were just made aware today of the plans to install an LED sign which exceeds the size and height of other signs in our neighborhood. Our association is not listed on the original application and we have not received notice. The poster board sign of the impending meeting date was not visible as apparently it has been lying on the ground until today.

The application states that there are no direct views from the adjacent property owners of the sign. However, our building located at 2847 directly faces and our building located at 2845 has an angled view the proposed signage. Both buildings are three stories and the upper floors would definitely have an unblocked view of this proposed sign. Per the plan an LED sign, which is by far brighter than any other sign in the area, could be quite a nuisance to the residents of our buildings, especially with the "off" hours being stated as 11:00 p.m. to 6:00 a.m. Many of our residents in those units have small children.

As we have not received adequate notice and currently have no one on the Board or our Property Management Group who is available on July 24<sup>th</sup> at 8:30 a.m. to represent our interests, we would request that this meeting be postponed until the August meeting of the Board of Zoning and Adjustment. This will also allow us more time to research, review and discuss with our Board and residents the consequences of said sign.

I would ask that you please honor my request for a continuance.

Sincerely,

**Dinsmôre**  
**Cynthia Sizemore**  
Paralegal

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